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## NOTICE OF ALLOWANCE AND ISSUE FEE DUE

12M2/1203

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/687,774	06/26/96	044	AULAKH, C	1203 12/03/97
First Named Applicant	NORBECK,		DANIEL W.	

TITLE OF INVENTION METHOD FOR IMPROVING PHARMACOKINETICS

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
1 5778.US.01	514-365.000	U80	UTILITY	NO	\$1320.00	03/03/98

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

### HOW TO RESPOND TO THIS NOTICE:

- I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as yes, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown and notify the Patent and Trademark Office of the change in status, or  
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If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or  
B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "6b" of Part B should be completed.

- III. All communications regarding this application must give application number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to the contrary.

***IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.***



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APPLICATION NUMBER <i>08/687,774</i>	FILING DATE 06/26/96	FIRST NAMED APPLICANT NORBECK	ATTORNEY DOCKET NO. D 5778.US.01
STEVEN F WEINSTOCK ABBOTT LABORATORIES D-377/AP6D 100 ABBOTT PARK ROAD ABBOTT PARK IL 60064-3500		EXAMINER 12M2/1203	AULAKH, C
		ART UNIT 1203	PAPER NUMBER
		DATE MAILED: 12/03/97	

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

This communication is responsive to *fax no. 5, filed on 8-25-97*.

The allowed claim(s) is/are *1-44*.

The drawings filed on \_\_\_\_\_ are acceptable.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.

including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_.

including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

including changes required by the attached Examiner's Amendment/Comment.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

Interview Summary, PTO-413

Examiner's Amendment/Comment

*Examiner's Comment Regarding Requirement for Deposit of Biological Material*

*Examiner's Statement of Reasons for Allowance*

Art Unit:

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Claims 1-44 are allowed since the applicants arguments ( paper no. 5, filed on August 25, 1997 ) were persuasive and therefore, rejection under 35 U.S.C. 103 (a) is withdrawn. The methods and compositions of instant claims are neither disclosed nor obvious over the prior art. In the prior art, Retroviral protease inhibitor combinations ( WO 95/33464 ), and HIV protease inhibitor combinations ( EP 0 691 345 , WO 96/04913, cited on applicants form 1449 ) are disclosed which are closely related to the instant claims. However, these publications were published after the priority date of the instant application and therefore, can not be used as prior art references.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication should be directed to Chana Aulakh at (703) 305-4482.

*C. Aulakh*  
SPE 1203